

Article - Education

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§12–102.

(a) (1) There is a body corporate and politic known as the University System of Maryland.

(2) The University is an instrumentality of the State and a public corporation.

(3) The University is an independent unit of State government.

(4) The exercise by the University of the powers conferred by this subtitle is the performance of an essential public function.

(b) The government of the University System of Maryland is vested in the Board of Regents of the University System of Maryland.

(c) The Board of Regents consists of 21 members as follows:

(1) (i) Except as provided in item (ii) of this item, two members shall be full-time students in good academic standing at an institution under the jurisdiction of the Board; and

(ii) A student member who is in good academic standing at the University of Maryland Global Campus shall be exempt from the full-time student requirement in item (i) of this item;

(2) One member shall be the Secretary of Agriculture ex officio;

(3) One member shall be the Secretary of Commerce ex officio;

(4) One member shall be appointed by the President of the Senate;

(5) One member shall be appointed by the Speaker of the House; and

(6) The remaining members of the Board shall be residents of the State, shall be appointed from the general public, and shall include:

(i) One individual with a background in higher education administration;

(ii) One individual with a background in finance; and

(iii) One individual with a background in diversity and workplace inclusion.

(d) In making appointments to the Board, the Governor, the President of the Senate, and the Speaker of the House shall consider representation from all parts of the State.

(e) (1) Each member of the Board appointed under subsection (c)(1) and (6) of this section shall be appointed by the Governor, with the advice and consent of the Senate.

(2) After the 40th day, and before the 80th day, from the commencement of each regular session of the General Assembly, the Senate shall consider each year's appointees to the Board collectively to ensure adequate balance of membership.

(f) (1) Except for the student members, each appointed member serves for a term of 5 years from July 1 of the year of appointment and until a successor is appointed and qualifies. These members may be reappointed.

(2) The student members shall be appointed for a term of 2 years, from July 1, and may be reappointed if the student remains a student at any campus of the University System of Maryland.

(3) A member appointed to fill a vacancy in an unexpired term serves only for the remainder of that term and until a successor is appointed and qualifies.

(g) (1) (i) Except for the Secretary of Agriculture and the Secretary of Commerce, and subject to paragraph (2) of this subsection, a member may not serve more than 2 consecutive full terms.

(ii) At the expiration of each member's full term, the Governor shall appoint a replacement member or shall submit a letter to the Senate in order to extend the term of the existing member.

(2) The unexpired or partial term of a member appointed to fill a vacancy occurring during a 5-year term does not qualify as a full term for the newly appointed member.

(h) (1) Each member of the Board:

(i) Serves without compensation; and

(ii) Is entitled to reimbursement for expenses in accordance with the Standard State Travel Regulations.

(2) (i) The Board may grant a tuition waiver to a student member not to exceed the amount of the tuition obligation incurred by the student member during the second year of a 2-year term.

(ii) A tuition waiver provided to a student member under this paragraph may not:

1. Be considered a gift or compensation under Title 5 of the General Provisions Article;

2. Be considered compensation under:

A. Paragraph (1) of this subsection; or

B. § 12-101(a)(3) of the State Government Article; or

3. Cause the student member to be classified as an employee of the University System of Maryland.

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